



THE CITY OF NEW YORK
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BY ECF

Honorable Roanne L. Mann
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Herring v. City of New York, et al.
15 CV 276 (NGG)(RLM)

Your Honor:

I represent the defendants in the above-referenced matter. On behalf of all parties, I write to respectfully inform the Court of the status of the case and to submit a joint application for a stay of this matter pending the resolutions of two independent investigations.

The undersigned has recently confirmed that both the Kings County District Attorney's Office and the New York City Police Department are conducting separate and independent investigations into allegations that the defendant officers involved have engaged in a pattern of fabrication evidence and making false statements in connection with the arrests and criminal prosecutions of several persons accused of criminal possession of a firearm in instances where there was tips from confidential informants regarding the alleged perpetrators' possession of the illegal guns, including the plaintiff in this case. For that reason, knowing the possible implications of said investigations on both the settlement value of the case and the undersigned's representation of the defendant officers, the parties mutually decided to adjourn the mediation that was scheduled for October 2, 2015.

Given these facts, the parties now request that the Court issue an order staying the case, if not administratively then with respect to discovery, until the KCDA and NYPD have issued their investigation reports, which will enable the undersigned's office to determine if we can maintain representation of the defendants and will give the parties a better understanding of the facts of the case moving forward. At the present time, the undersigned does not have an

exact timetable for the resolutions of the pending investigations but will update the Court as soon as additional information is obtained.

Thank you for your consideration of this request.

Respectfully submitted,

/S

Karl J. Ashanti, Esq.

cc: Joseph Indusi, Esq. (by ECF)